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April 18, 2000

The Honorable Janet Reno
Attorney General
United States Department of Justice
Washington, D.C. 20530

Re: FBI Interview Summary of Representative Gerald Solomon

Dear General Reno:

I am writing regarding the release by the Justice Department of information from the FBI interview summary of Representative Gerald Solomon. As you may recall, when John Huang testified at the Committee's hearing in December 1999, he gave an opening statement that referred extensively to Rep. Solomon's FBI interview. During that hearing, at the request of Representative Waxman, I made an oral request for the interview summary. The summary was provided to the Committee in less than twenty-four hours, and was discussed at the hearing. The Justice Department's handling of this matter has raised serious questions about the Department's increasing politicization, as well of the judgment of the attorneys on your Campaign Financing Task Force.

In his opening statement at the Committee hearing on December 15, 1999, John Huang made the following statement:

People seeking publicity have lied about me repeatedly in the press and even before this Committee without consequence. For example, a former Member of this body, Mr. Solomon, in attacking the Administration, accused me of economic espionage on the basis of what I am advised was an anonymous source at a cocktail party, with whom, it turned out, did not even mention my name or do anything other than perpetuate a rumor against an unidentified Asian-American, a rumor which Mr. Solomon was only too eager to embrace and capitalize upon.

It struck me as strange that Mr. Huang knew what Representative Solomon had told the FBI before the Committee had ever received and made public Rep. Solomon's statement. Accordingly, I asked Mr. Huang how he had learned what Rep. Solomon had told the Department. Mr. Huang testified that he was told about Rep. Solomon's

statement by his attorneys. I then asked Ty Cobb, Mr. Huang's attorney, how he had learned what Rep. Solomon had told the FBI. Mr. Cobb stated that attorneys on the Campaign Financing Task Force had told him what Rep. Solomon had told the Department when he was interviewed.

I was troubled to learn that a lawyer on the Campaign Financing Task Force would share the details of Rep. Solomon's statement with John Huang's attorneys. It would be understandable for the Justice Department to ask Mr. Huang to confirm or deny the accusations made by Rep. Solomon. Similarly, it would be understandable to question Mr. Huang about a specific fact or allegation. There is no justification, however, for a Justice Department attorney to share the details of a witness' statement with the target of an investigation. This disclosure by the Campaign Financing Task Force could have no legitimate investigative purpose, and seemed to be designed only to give Mr. Huang a sympathetic anecdote for his opening statement. If my conclusion is accurate, it would represent a new low in the politicization of your Justice Department. However, I am hopeful that you can clarify any misconceptions that I have by providing to the Committee the name of the Justice Department lawyer who provided this information to Mr. Huang's attorney, as well as his justification for doing so.

There is a second aspect of the Department's handling of Rep. Solomon's interview summary that is equally troubling. Several days before the Huang hearings began, lawyers from the Department and the FBI had a lengthy meeting with Committee staff about the Department's refusal to produce FBI interview summaries to the Committee. During the course of that meeting, your staff argued that FBI interview summaries were very sensitive, and that the release of those summaries would adversely impact Justice Department investigations by harming the reputations of the subjects of those interviews, and by chilling individuals from giving interviews to the Department. I respect the arguments made by the Department, and I took them at face value. In fact, I withdrew a number of requests that I had previously made for FBI interview summaries.

You can understand my shock then, when I first learned that your Campaign Financing Task Force had disclosed details of Rep. Solomon's interview to an individual who had been indicted by the Justice Department. Just as troubling, though, was the readiness of the Department to release publicly Rep. Solomon's interview summary. On December 15, when asked by Rep. Waxman, I indicated that I would request the Solomon interview from the Department. The following day, before I had even made a formal request to the Justice Department, a Department staffer appeared at the Committee offices with a copy of the Solomon interview in hand, despite the fact I had not even formally requested it. I then made an oral request for the interview, and it was provided to the Committee immediately.

There have been countless episodes when simple document requests to the Justice Department have waited for weeks while the documents were Bates-numbered, reviewed by multiple layers of bureaucracy, or awaited delivery. Just last week, my staff had

extensive discussions with your staff about the large number of responsive documents that still have not been provided to the Committee pursuant to its subpoenas. For example, on March 22, 2000, I subpoenaed a number of FBI interview summaries, yet, three weeks later, we have not received even one responsive interview summary. In contrast to these consistent delays, the Solomon interview was produced to the Committee with remarkable speed. Indeed, it took less than one day – which is the fastest document production from the Justice Department of which I am aware. As with so many other cases, it appears that the Department's positions are dictated more by political expediency than legal principles or any desire to comply with lawful subpoenas. In this case, it appears that you and your staff cast aside any principled objections that you had to releasing FBI interview summaries so that you could attempt to tarnish the reputation of a widely respected former Member of Congress.

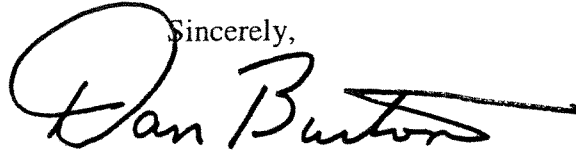
My observations regarding your treatment of FBI 302 interview summaries are also pertinent to your "policies" regarding the testimony of Justice Department line attorneys. While I will write more fully on this subject at a later time, I am concerned that you appear to have embraced a politically biased standard. On one hand, you permit line attorneys to testify when it is politically beneficial, as in the Waco, Rocky Flats, and Peter Lee cases. On the other hand, you have prevented them from testifying when their knowledge is politically embarrassing, as in matters pertaining to the campaign finance investigation. With this in mind, I request that you re-evaluate your decision to prevent the Committee from interviewing Justice Department lawyers involved in the White House e-mail matter.

I have written to you a number of times about the growing politicization of the Justice Department. I pointed out several weeks ago that you refused to provide the Freeh and La Bella memos to Congress, but have tolerated selective leaks of those memos to the press. Your prompt release of the Solomon 302 seems to serve as another example of Justice Department politicization. You sought to avoid providing the FBI interview summaries for the President, Vice President, and other administration officials when their contents were embarrassing for you and your party. You have taken weeks to produce other interview summaries when I subpoenaed them. However, when an FBI interview summary contained a few morsels of information that served your political interests, as well as those of the Clinton Administration, the DNC, and John Huang, you

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served them up in less than twenty-four hours. This case appears to be another example of how you have subverted the Justice Department's interests to the political interests of this Administration, and the Democratic Party.

Sincerely,

A handwritten signature in black ink, reading "Dan Burton". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Dan Burton
Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member
Larry Parkinson, Esq., General Counsel, Federal Bureau of Investigation
Craig Iscoe, Esq., Office of the Deputy Attorney General